

**Opening Statement of the Honorable Fred Upton
Subcommittee on Oversight and Investigations
Hearing on “Patient Protection and Affordable Care Act:
Implementation in the Wake of Administrative Delay”
July 18, 2013**

(As Prepared for Delivery)

Yesterday the House voted to give to every American the same option the administration gave to the business community: the ability to delay the impact of the health care law on their family for one year.

This is the right thing to do. Individuals, like businesses, are subject to reporting requirements, costs, and penalties under the Affordable Care Act. We believe individuals left to suffer the looming rate shock deserve the same treatment that the administration awarded to businesses. I'm glad the House voted in a bipartisan manner to do this yesterday and I hope the Senate follows suit.

As a committee with jurisdiction over this law, and its implementation, we have a duty to hold the administration accountable for its decisions and to make sure they are transparent in the process which has sadly been missing throughout the writing, passage, and implementation of the health care law.

A great deal of uncertainty surrounds this law. Americans don't yet know how much their insurance will cost. Reports indicate that the exchanges are behind schedule. Deadlines have been delayed and missed entirely.

Today we will hear from Mr. Mark Iwry of the Treasury Department on its decision to delay the mandate for employers.

I hope we will hear the complete story from the witness today on how this decision was made, who made it, what the record was before Treasury that prompted it to take this action two weeks ago. In previous hearings before this committee, administration witnesses have looked us square in the eye and assured us that implementation of the Affordable Care Act was on track. Treasury's decision to delay the employer mandate confirms that this is not the case.

And yesterday we learned the decision was made in June and the administration had been considering the delay “for a while.” Why did the “most transparent administration in history” mislead Congress and try to deceive the public? Because it knew that the law is bad for business and bad for jobs.

We now know the administration shamelessly waited for July 4th fireworks to provide a smokescreen for their employer mandate bombshell.

We need to get a full accounting of this decision, in the full light of day, so we can all be prepared for what is coming our way once enrollment begins on October 1 – or for whatever rewrite the administration makes next.

This is about fairness.

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